INTERNET FORM NLRB-501 (2-08)

INSTRUCTIONS:

## UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

FORM EXEMPT UNDER 44 U.S.C 3512 DO NOT WRITE IN THIS SPACE Case Date Filed CHARGE AGAINST EMPLOYER 21-CA-209305 11-03-2017 File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring. 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT b. Tel. No. 213-489-1989

a. Name of Employer JP Management Corporation d/b/a McDonald's Restaurant c. Cell No. f. Fax No. e. Employer Representative d. Address (Street, city, state, and ZIP code) g. e-Mail 1150 Foothill Blvd Ste C (b) (6), (b) (7)(C) La Canada Flitridge, CA 91011-3282 h. Number of workers employed 30+ j. Identify principal product or service i. Type of Establishment (factory, mine, wholesaler, etc.) Fast Food Restaurant

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (4) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce

within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the past six months, the above-named employer, by and through its managers, supervisors and agents, has discriminated against (b) (6), (b) (7)(C) because engaged in union and other concerted activities and because previously filed charges, by including but not limited to:

- a) refusing to grant leave when reasonably requested;
- b) singling out (b) (6), (b) (7)(C) in other ways such as delaying providing paycheck.

By these and other acts, the above-named employer has interfered with, coerced, and restrained employees in the exercise of their rights under Section 7 of the Act.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

SEIU National Fast Food Workers Union

4a. Address (Street and number, city, state, and ZIP code)

1800 Mass, Ave. NW Washington, DC 20036

4b. Tel. No (b) (6), (b) (7)(C) 4c. Cell No. 4d. Fax No 4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) SEIU

Johnda Bentley, Attorney

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Tel. No. 202-730-7353

Office, if any, Cell No. 202-406-0453

(Print/type name and title or office, if any)

Fax No.

11/3/17

1800 Mass. Ave. NW, Washington DC 20036

(signature of representative or person making charge)

johnda.bentley@seiu.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seg. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



# UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD



REGION 21 888 S Figueroa St FI 9 Los Angeles, CA 90017-5449 Agency Website: www.nlrb.gov Telephone: (213)894-5200 Fax: (213)894-2778 Download NLRB Mobile App

November 7, 2017

JOHNDA BENTLEY, ESQ., ASSISTANT GENERAL COUNSEL SEIU NATIONAL FAST FOOD WORKERS UNION 1800 MASSACHUSETTS AVENUE, NW WASHINGTON, DC 20036

> Re: JP MANAGEMENT CORPORATION D/B/A MCDONALD'S RESTAURANT Case 21-CA-209305

Dear Ms. Bentley:

The charge that you filed in this case on November 03, 2017, has been docketed as case number 21-CA-209305. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney EDITH P. CASTANEDA-RANGEL whose telephone number is (213)634-6516. If this Board agent is not available, you may contact Deputy Regional Attorney NEIL WARHEIT whose telephone number is (213)634-6525.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, <u>www.nlrb.gov</u>. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a> or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

/S/WILLIAM B. COWEN

Regional Director

Enclosures

WBC/hta



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November 7, 2017

JP MANAGEMENT CORPORATION D/B/A MCDONALD'S RESTAURANT 1150 FOOTHILL BOULEVARD, SUITE C LA CANADA FLINTRIDGE, CA 91011-3282

> Re: JP MANAGEMENT CORPORATION D/B/A MCDONALD'S RESTAURANT Case 21-CA-209305

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney EDITH P. CASTANEDA-RANGEL whose telephone number is (213)634-6516. If this Board agent is not available, you may contact Deputy Regional Attorney NEIL WARHEIT whose telephone number is (213)634-6525.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a>, or from an NLRB office upon your request.

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<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Case 21-CA-209305

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

/S/WILLIAM B. COWEN Regional Director

## Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

WBC/hta

| Revised 5/21/2011   | NATIONAL LABOR RELAT   | Revised 3/21/2011 NATIONAL LABOR RELATIONS BOARD   |  |       |     |  |  |  |  |
|---|--|--|--|-------|-----|--|--|--|--|
| QUESTIONNAIRE ON COMMERCE INFORMATION   |  |  |  |       |     |  |  |  |  |
| Please read carefully, answer all applicable ite  | ms, and return to the NLRB Office. If addition   | nal space is required, please add a page and id  | entify item number.  |       |     |  |  |  |  |
| CASE NAME CASE NUMBER   |  |  |  |       |     |  |  |  |  |
|   |  |  | CA-209305  |       |     |  |  |  |  |
| 1. EXACT LEGAL TITLE OF ENTITY (  | As filed with State and/or stated in legal d   | locuments forming entity)  |  |       |     |  |  |  |  |
|   |  |  |  |       |     |  |  |  |  |
| 2. TYPE OF ENTITY   |  |  |  |       |     |  |  |  |  |
| [] CORPORATION [] LLC [] L  | LP [] PARTNERSHIP [] SOLE  | PROPRIETORSHIP [ ] OTHER (Spec   | ify)   |       |     |  |  |  |  |
| 3. IF A CORPORATION or LLC  |  |  |  |       |     |  |  |  |  |
| A. STATE OF INCORPORATION   | B. NAME, ADDRESS, AND RELATION   | NSHIP (e.g. parent, subsidiary) OF ALL REL   | ATED ENTITIES  |       |     |  |  |  |  |
| OR FORMATION  |  |  |  |       |     |  |  |  |  |
| 4. IF AN LLC OR ANY TYPE OF PART  | NERSHIP, FULL NAME AND ADDRES  | SS OF ALL MEMBERS OR PARTNERS  |  |       |     |  |  |  |  |
|   |  |  |  |       |     |  |  |  |  |
| 5. IF A SOLE PROPRIETORSHIP, FUL  | L NAME AND ADDRESS OF PROPRIE  | ETOR   |  |       |     |  |  |  |  |
| ,   |  |  |  |       |     |  |  |  |  |
| 6. BRIEFLY DESCRIBE THE NATURE  | OF YOUR OPERATIONS (Products han   | ndled or manufactured, or nature of services   | performed).  |       |     |  |  |  |  |
|   | ,  |  | , ,  |       |     |  |  |  |  |
| 5 A PRINCIPAL LOCATION  | D DDANGH LOG   | ATTONO   |  | _     | _   |  |  |  |  |
| 7. A. PRINCIPAL LOCATION:   | B. BRANCH LOC  | ATIONS:  |  |       |     |  |  |  |  |
|   |  |  |  |       |     |  |  |  |  |
| 8. NUMBER OF PEOPLE PRESENTLY   |  |  |  |       |     |  |  |  |  |
| A. Total:   | B. At the address involved in this ma  |  |  |       |     |  |  |  |  |
| 9. DURING THE MOST RECENT (Chec   | ck appropriate box): [ ] CALENDAR YR   | [ ] 12 MONTHS or [ ] FISCAL YR   | (FY dates  | ***** | )   |  |  |  |  |
|   |  |  |  |       | 370 |  |  |  |  |
| A Did you provide services valued in a  | excess of \$50 000 directly to customers   | outside your State? If no indicate actu  | al value   | YES   | NO  |  |  |  |  |
| A. Did you <b>provide</b> services valued in (  | excess of \$50,000 directly to customers   | outside your State? If no, indicate actu   | al value.  | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p   | rovide services valued in excess of \$50   | 0,000 to customers in your State who pu  | rchased goods  | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir   | rovide services valued in excess of \$50   |  | rchased goods  | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$  | rovide services valued in excess of \$50 rectly outside your State? If no, indicate  | 0,000 to customers in your State who put<br>te the value of any such services you  | rchased goods<br>1 provided.   | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$ C. If you answered no to 9A and 9B, did  | rovide services valued in excess of \$50 rectly outside your State? If no, indicate you provide services valued in excess  | 0,000 to customers in your State who pute the value of any such services your sof \$50,000 to public utilities, transit sy   | rchased goods<br>provided.   | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$ C. If you answered no to 9A and 9B, did  | rovide services valued in excess of \$50 rectly outside your State? If no, indicate you provide services valued in excess broadcasting stations, commercial build  | 0,000 to customers in your State who put<br>te the value of any such services you  | rchased goods<br>provided.   | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$ C. If you answered no to 9A and 9B, did newspapers, health care institutions, less than \$50,000, indicate amount. D. Did you sell goods valued in excess  | rovide services valued in excess of \$50 rectly outside your State? If no, indicate you provide services valued in excess broadcasting stations, commercial build \$   | 0,000 to customers in your State who pute the value of any such services your sof \$50,000 to public utilities, transit sydings, educational institutions, or retail   | rchased goods a provided. stems, concerns? If  | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$ C. If you answered no to 9A and 9B, did newspapers, health care institutions, less than \$50,000, indicate amount. D. Did you sell goods valued in excess amount. \$   | rovide services valued in excess of \$50 rectly outside your State? If no, indicate you provide services valued in excess broadcasting stations, commercial build \$ of \$50,000 directly to customers located   | 0,000 to customers in your State who pute the value of any such services your sof \$50,000 to public utilities, transit sydings, educational institutions, or retail of doutside your State? If less than \$50,000 to public utilities, transit sydings, educational institutions, or retail of the state of the s | rchased goods provided. stems, concerns? If  | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$ C. If you answered no to 9A and 9B, did newspapers, health care institutions, less than \$50,000, indicate amount. D. Did you sell goods valued in excess amount. \$ E. If you answered no to 9D, did you set  | rovide services valued in excess of \$50 rectly outside your State? If no, indicate you provide services valued in excess broadcasting stations, commercial build \$ of \$50,000 directly to customers locate all goods valued in excess of \$50,000 directly to customers.  | 2,000 to customers in your State who pute the value of any such services your sof \$50,000 to public utilities, transit sydings, educational institutions, or retail of doutside your State? If less than \$50,000 irectly to customers located inside your  | rchased goods provided. stems, concerns? If  | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$ C. If you answered no to 9A and 9B, did newspapers, health care institutions, less than \$50,000, indicate amount. D. Did you sell goods valued in excess amount. \$ E. If you answered no to 9D, did you set  | rovide services valued in excess of \$50 rectly outside your State? If no, indicate you provide services valued in excess broadcasting stations, commercial build \$ of \$50,000 directly to customers locate all goods valued in excess of \$50,000 directly to customers.  | 0,000 to customers in your State who pute the value of any such services your sof \$50,000 to public utilities, transit sydings, educational institutions, or retail of doutside your State? If less than \$50,000 to public utilities, transit sydings, educational institutions, or retail of the state of the s | rchased goods provided. stems, concerns? If  | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$ C. If you answered no to 9A and 9B, did newspapers, health care institutions, less than \$50,000, indicate amount.  D. Did you sell goods valued in excess amount. \$ E. If you answered no to 9D, did you see purchased other goods valued in excess \$ F. Did you purchase and receive goods   | rovide services valued in excess of \$50 rectly outside your State? If no, indicate you provide services valued in excess broadcasting stations, commercial build \$ of \$50,000 directly to customers located all goods valued in excess of \$50,000 directly outside your state of \$50,000 from directly outside your states.   | 2,000 to customers in your State who pute the value of any such services your state of \$50,000 to public utilities, transit sydings, educational institutions, or retailed outside your State? If less than \$50,000 irectly to customers located inside your sur State? If less than \$50,000, indicate  | rchased goods a provided.  stems, concerns? If  00, indicate  State who amount.  | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$ C. If you answered no to 9A and 9B, did newspapers, health care institutions, less than \$50,000, indicate amount.  D. Did you sell goods valued in excess amount. \$ E. If you answered no to 9D, did you se purchased other goods valued in excess.  F. Did you purchase and receive good amount. \$   | rovide services valued in excess of \$50 rectly outside your State? If no, indicate you provide services valued in excess broadcasting stations, commercial build \$ of \$50,000 directly to customers located and the state of \$50,000 from directly outside your state.   | 2,000 to customers in your State who pute the value of any such services your sof \$50,000 to public utilities, transit sy dings, educational institutions, or retail of doutside your State? If less than \$50,000 irrectly to customers located inside your state? If less than \$50,000, indicate ectly outside your State? If less than \$50,000 irrectly outside your State?  | rchased goods a provided.  stems, concerns? If  00, indicate  State who amount.  | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$ C. If you answered no to 9A and 9B, did newspapers, health care institutions, less than \$50,000, indicate amount.  D. Did you sell goods valued in excess amount. \$ E. If you answered no to 9D, did you se purchased other goods valued in excess \$ F. Did you purchase and receive good amount. \$ G. Did you purchase and receive good amount.   | rovide services valued in excess of \$50 rectly outside your State? If no, indicate you provide services valued in excess broadcasting stations, commercial builds of \$50,000 directly to customers located and the state of \$50,000 from directly outside your state.   | 2,000 to customers in your State who pute the value of any such services your sof \$50,000 to public utilities, transit sy dings, educational institutions, or retail of doutside your State? If less than \$50,000 irrectly to customers located inside your state? If less than \$50,000, indicate ectly outside your State? If less than \$50,000 irrectly outside your State?  | rchased goods a provided.  stems, concerns? If  00, indicate  State who amount.  | YES   | NO  |  |  |  |  |
| \$ B. If you answered no to 9A, did you p valued in excess of \$50,000 from dir \$ C. If you answered no to 9A and 9B, did newspapers, health care institutions, less than \$50,000, indicate amount.  D. Did you sell goods valued in excess amount. \$ E. If you answered no to 9D, did you see purchased other goods valued in excess \$ F. Did you purchase and receive good amount. \$ G. Did you purchase and receive good outside your State? If less than \$50,000 from directions are selected to the purchase and receive good outside your State? If less than \$50,000 from directions are selected to 9D, did you see purchased other goods valued in excess and receive good amount. \$   | rovide services valued in excess of \$50 rectly outside your State? If no, indicate you provide services valued in excess broadcasting stations, commercial builds of \$50,000 directly to customers located and the state of \$50,000 from directly outside your state of \$50,000 from ent 0,000, indicate amount.   | 2,000 to customers in your State who pute the value of any such services your sof \$50,000 to public utilities, transit sy dings, educational institutions, or retail of doutside your State? If less than \$50,000 irrectly to customers located inside your ur State? If less than \$50,000, indicate ectly outside your State? If less than \$50,000 irrectly to customers located inside your state? If less than \$50,000 irrectly outside your State?  | rchased goods a provided.  stems, concerns? If  00, indicate  State who amount.  | YES   | NO  |  |  |  |  |
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

### **UNITED STATES OF AMERICA**

### BEFORE THE NATIONAL LABOR RELATIONS BOARD

| JP MANAGEMENT CORPORATION   |
|-----------------------------|
| D/B/A MCDONALD'S RESTAURANT |

Charged Party

and

Case 21-CA-209305

## SEIU NATIONAL FAST FOOD WORKERS UNION

**Charging Party** 

#### AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on November 7, 2017, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

JP MANAGEMENT CORPORATION D/B/A MCDONALD'S RESTAURANT 1150 FOOTHILL BOULEVARD, SUITE C LA CANADA FLINTRIDGE, CA 91011-3282

| November 7, 2017 | Helen T. Alo, Designated Agent of NLRB |
|------------------|--|
| Date             | Name                                   |
|                  |  |
|                  |  |
|                  | /S/ Helen T. Alo                       |
|                  | Signature                              |

### **CERTIFICATE OF SERVICE**

The undersigned, an attorney, affirms under penalty of perjury that on November 27, 2017, a true and correct copy of **JP Management Corporation d/b/a/ McDonald's Restaurant Notice of Appearance** was electronically filed with the National Labor Relations Board, effectuating service on the NLRB's Regional Office.

The undersigned, an attorney, further affirms under penalty of perjury that on November 27, 2017, a true and correct copy of **JP Management Corporation d/b/a/ McDonald's Restaurant Notice of Appearance** was served upon counsel for the parties by first-class mail in a postage-prepaid envelope to the corresponding addresses below:

SEIU National Fast Food Workers Union 1800 Mass Ave. NW Washington, DC 20036 Edith P. Castaneda-Rangel Field Attorney NLRB – Region 21 888 S. Figueroa St Fl 9 Los Angeles, CA 90017-5449

Johnda Bentley, Esq. SEIU National Fast Food Workers Union 1800 Mass Ave. NW Washington, DC 20036

Melody Biglay

From: <u>Castaneda, Edith</u>

To: "johnda.bentley@seiu.org"

Subject: JP Management Corporation 21-CA-209305 - Introductory Call/Affidavits

**Date:** Wednesday, November 8, 2017 7:19:00 PM

Hello Ms. Bentley,

I am the Field Attorney that was assigned to investigate the above-referenced matter. I called you in hopes that I could get more information about the basis of the charge and also to schedule witness affidavits. I am tentatively available next Thursday, November 16 and Friday, November 17.

I look forward to speaking to you.

Best,

Edith P. Castañeda Field Attorney National Labor Relations Board, Region 21 888 South Figueroa Street, Ninth Floor Los Angeles, California 90017 Phone: (213) 634-6516

Fax: (213) 894-2778

www.nlrb.gov

www.nlrb.gov/region/los-angeles-21

## The NLRB encourages the electronic filing of documents:

https://apps.nlrb.gov/eservice/efileterm.aspx

From: Nesbit, Kristen To: Castaneda, Edith

Subject: RE: JP Management Corporation Case 21-CA-150816 - Represent Respondent?

Date: Monday, November 27, 2017 7:55:47 PM

Attachments: image001.jpg

#### Hi Edith.

Thanks for getting back to me so quickly. I will follow up with my client to see if they have received the withdrawal of charge in Case 21-CA-209305 yet. I look forward to receiving the proposed settlement in Case 21-CA-150816.

### Thanks, Kristen

#### Kristen J. Nesbit

Partner



Fisher & Phillips LLP

444 South Flower Street | Suite 1500 | Los Angeles, CA 90071

knesbit@fisherphillips.com | O: (213) 330-4455

<u>vCard</u> | <u>Bio</u> | <u>Website</u> On the Front Lines of Workplace Law<sup>sm</sup>

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error, then immediately delete this message.

**From:** Castaneda, Edith [mailto:Edith.Castaneda@nlrb.gov]

Sent: Monday, November 27, 2017 4:53 PM **To:** Nesbit, Kristen <knesbit@fisherphillips.com>

Subject: RE: JP Management Corporation Case 21-CA-150816 - Represent Respondent?

Ms. Nesbit,

Your client should have received a letter dated November 15, 2017, stating that the Regional Director approved the withdrawal of the charge in Case 21-CA-209305. I will be circulating a proposed settlement in Case 21-CA-150816 shortly.

Feel free to give me a call if you would like to further discuss. I am available the rest of this week, except tomorrow from 12:00 p.m. to 5:00 p.m.

Best,

Edith

**From:** Nesbit, Kristen [mailto:knesbit@fisherphillips.com]

Sent: Monday, November 27, 2017 4:43 PM

**To:** Castaneda, Edith < <u>Edith.Castaneda@nlrb.gov</u>> **Cc:** Biglay, Melody < mbiglay@fisherphillips.com>

Subject: RE: JP Management Corporation Case 21-CA-150816 - Represent Respondent?

Hi Edith,

My client, JP Management Corporation, provided me the attached new charge (Case No. 21-CA-209305) that was filed on behalf of (b) (6). (b) (7)(C), the claimant in Case No. 21-CA-150816.

Our firm will be representing JP Management in this new charge. Attached is our notice od representation, which we will also e-file.

Please let me know when you are able to discuss this new charge and the status of the proposed settlement regarding the other charge.

Thanks. Kristen

Kristen J. Nesbit



Fisher & Phillips LLP 444 South Flower Street | Suite 1500 | Los Angeles, CA 90071 knesbit@fisherphillips.com | O: (213) 330-4455

vCard | Bio | Website On the Front Lines of Workplace Law™

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From: Castaneda, Edith [mailto:Edith.Castaneda@nlrb.gov]

Sent: Friday, November 3, 2017 10:01 AM

**To:** Nesbit, Kristen < knesbit@fisherphillips.com > **Cc:** Biglay, Melody < mbiglay@fisherphillips.com >

Subject: RE: JP Management Corporation Case 21-CA-150816 - Represent Respondent?

Hi Kristen,

I will send you a proposed settlement soon.

Best,

Edith

From: Nesbit, Kristen [mailto:knesbit@fisherphillips.com]

Sent: Friday, November 03, 2017 9:56 AM

**To:** Castaneda, Edith < <u>Edith.Castaneda@nlrb.gov</u>> **Cc:** Biglay, Melody < <u>mbiglay@fisherphillips.com</u>>

Subject: RE: JP Management Corporation Case 21-CA-150816 - Represent Respondent?

Hi Edith,

Yes, our firm still represents JP Management. Please continue to direct all communications to me.

## Thanks, Kristen

Kristen J. Nesbit
Partner

Fisher & Phillips LLP
444 South Flower Street | Suite 1500 | Los Angeles, CA 90071
knesbit@fisherphillips.com | O: (213) 330-4455

vCard | Bio | Website On the Front Lines of Workplace Laws

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From: Castaneda, Edith [mailto:Edith.Castaneda@nlrb.gov]

Sent: Friday, November 3, 2017 9:50 AM

To: Nesbit, Kristen < knesbit@fisherphillips.com >

Subject: JP Management Corporation Case 21-CA-150816 - Represent Respondent?

Ms. Nesbit:

I am following up on my voicemail from yesterday. You and Ms. Jina Lee were listed as Attorneys of Record in the Notice of Appearance filed with the Region on behalf of JP Management Corporation ("Respondent"). However, when I called your firm yesterday, I was informed Ms. Lee no longer works for the firm. Can you please confirm whether you still represent the Respondent in this matter? If so, I wanted to advise you that I will be sending a proposed settlement shortly. In accordance with the Order issued on September 5, 2017, the proposed settlement will reflect withdrawal of the allegations that McDonald's USA LLC is a joint employer of Respondent JP Management Corporation.

#### Thanks,

Edith P. Castañeda Field Attorney National Labor Relations Board, Region 21 888 South Figueroa Street, Ninth Floor Los Angeles, California 90017 Phone: (213) 634-6516

Fax: (213) 894-2778

www.nlrb.gov

www.nlrb.gov/region/los-angeles-21

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https://apps.nlrb.gov/eservice/efileterm.aspx



# UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 21 888 S Figueroa St FI 9 Los Angeles, CA 90017-5449 Agency Website: www.nlrb.gov Telephone: (213)894-5200 Fax: (213)894-2778

November 15, 2017

JP MANAGEMENT CORPORATION D/B/A MCDONALD'S RESTAURANT 1150 FOOTHILL BOULEVARD, SUITE C LA CANADA FLINTRIDGE, CA 91011-3282

Re: JP MANAGEMENT CORPORATION

D/B/A MCDONALD'S RESTAURANT

Case 21-CA-209305

Dear Sir or Madam:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/WILLIAM B. COWEN Regional Director

cc: JOHNDA BENTLEY, ASSISTANT GENERAL COUNSEL SEIU NATIONAL FAST FOOD WORKERS UNION 1800 MASSACHUSETTS AVENUE, NW WASHINGTON, DC 20036

WBC/fb